



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, DECEMBER 16, 1999**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, December 16, 1999 in the City Council Chambers, at 307 West Second Street, for the following purposes:

Mayor Watson called the meeting to order at 9:16 a.m.

ZONING HEARING

1. C814-84-028.04 – Vista Ridge PUD - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 750 feet North of the intersection of Ladera Norte & Valburn Drive from PUD, Planned Unit Development district zoning to PUD, Planned Unit Development district zoning. Planning Commission Recommendation: To Grant PUD, Planned Unit Development district zoning. Applicant: Austin Two Tracts, L.P. (Mike Pruitt); Agent: Turner Collie & Braden, Inc. (Keith Young). City Staff: Jerry Rusthoven, 499-2741. Note: A valid petition has been filed in opposition to this rezoning request. (Continued from 7/29/99, 8/26/99 and 11/18/99)

The first reading of this ordinance was approved with the following restrictions: (1) limit impervious cover to 10% on slopes in excess of 15%; (2) limit those 13 units visible from Bull Creek Park to one story so that they will be under the tree line on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

BRIEFINGS

2. Transition to new City Council meeting facilities.
The Presentation was given by Trisha Ensle, Project Manager, Public Works and Transportation.
3. Update on the City of Austin Drainage Master Plan.
The Presentation was given by Mike Heitz, Director of Watershed Protection; and Joe Pantalian, Consulting Engineer, Watershed Protection.

4. 2002 Municipal Annexation Plan and the three-year Transition Process.
The presentation was given by Austan Librach, Director of Planning Environmental Conservation Services; David Lloyd, Attorney Senior, Law Department; Ben Luckens, Development Services Process Coordinator, Department of Planning Environmental Conservation Services; and Diane Carls, Annexation Department.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session was held at 12:13 p.m.

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney - Section 551.071

5. Discuss *Michael King, et al. v. City of Austin*, Cause No. 96-08899, in Travis County District Court.
7. Discuss *FM Properties Operating Co. v. City of Austin*, Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)

Real Property - Section 551.072

10. Discuss real property acquisition for the Barton Springs Clean Drinking Water Project (May 2, 1998 Election, Proposition Two).
11. Discuss acquisition of real property from the state of Texas at Robert Mueller Airport and in downtown Austin.

Executive Session ended at 1:45 p.m.

1:30 LIVE MUSIC: Andy Melvin - BandLeader at Lake Hills Church

INVOCATION – Mac Richard, Lake Hills Church

MINUTES

14. Approval of minutes for regular meetings of December 2 and 9, 1999

The minutes were approved on Council Member Lewis' motion, Council Member Spelman's second by a 4-0 vote. Mayor Pro Tem Goodman, Council Members Garcia and Slusher were off the dais.

CITIZEN COMMUNICATIONS: GENERAL

15. Jennifer Gale – The Gale Health Care Initiative
16. Mrs. Shivon Sumpler – Flood Plain 25 year/100 year located at 1103 Berger St. 2nd to City of Austin Watershed Management - **Absent**
17. Kevin McGaughy – Park Police
18. Gus Pena – Discuss Health Clinics; Accountability of the Goggio Consultants and of their Contract.
19. Gavino Fernandez, Jr. – El Concilio Neighborhood Planning Team
20. Rolando Pina – Expedite move the INS Detention Service Facility away from Galindo Elementary School to a more suitable location.
21. Monica O. Ninevo – To Allow Sleep in my room without using medical device of my health record as the weapon.
22. Paul Martin – Central Booking - **Absent**
23. Robert Singleton – The Bradley Deal
24. Richard Troxell – Homelessness in Austin

BOARD AND COMMISSION REPORTS

25. Electric Utility Commission - Teresa Reel, Chair
A presentation was given by Teresa Real.
26. Resource Management Commission - Briefing from Resource Management Commission and Greenbuilder Task Force - Peter Pfeiffer, Chair
A presentation was given by Peter Pfeiffer.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

Item 27 was pulled for discussion.

28. Approve a resolution authorizing execution of a professional services agreement with SCS Engineers, Austin, Texas, for engineering consulting services for the Solid Waste Services Department Review, in an amount not to exceed \$200,000. (Funding was included in the 1999-2000 Approved Operating Budget of the Solid Waste Services Department.) 15% MBE, 18.3% WBE subcontracting participation.

Resolution No. 991216-28 was approved.

Item 29 was pulled for discussion.

30. Approve negotiation and execution of a contract with Center for Mexican American Cultural Arts, Inc. for the lease and operation of the Mexican American Cultural Center. (Revenue of \$1 annually for 50 years to be paid to the Parks and Recreation Department.)

Resolution No. 991216-30 was approved.

Item 31 was pulled for discussion.

32. Approve a resolution authorizing execution of a contract with DISTINCTIVE BUSINESS INC., Great Neck, New York, for the purchase of 57 semi-ruggedized laptops with accessories for the Austin Police Department in the amount of \$136,116. (Funding in the amount of \$112,136 is included in the 1999-00 Operating Budget of the Austin Police Department. Funding in the amount of \$23,880 is included in the 1999 Local Law Enforcement Block Grant Program.) Low bid of eleven. No MBE/WBE subcontracting participation.

Resolution No. 991216-32 was approved.

33. Approve a resolution authorizing execution of a 24-month Interlocal Cooperation Agreement with the STATE OF TEXAS to sublease approximately 3,144 square feet of space located at 7901 Cameron Road, Suite 286, to be used by the Austin Police Department's Child Abuse Unit, in an amount not to exceed \$113,184, with two 12-month extension options in the amount of \$56,592 for the first extension option, and \$56,592 for the second extension option, for a total amount not to exceed \$226,368. (Funding in the amount of \$56,592 is available in the 1999-2000 Operating Budget of the Austin Police Department.)

Resolution No. 991216-33 was approved.

Item 34 was pulled for discussion.

35. Approve an Interlocal Cooperation Agreement with Travis County regarding the provision of emergency medical service in Travis County outside the City's corporate limits, and the provision of STAR Flight services. (Revenue in the amount of \$5,233,418 for General Fund and Travis County Reimbursed Fund to be paid by Travis County.) (Related to Item 34)

Resolution No. 991216-35 was approved.

36. Approve a resolution authorizing an Interlocal Agreement with Travis County Emergency Services District Number 6 for the provisions of First Responder EMS and Rescue Services to the area of the intersection of FM 2222 and RM 620 for a term of five months with the options to renew for two additional month terms. (An estimated \$12,250 is included in the 1999-2000 Operating Budget of the Fire Department to cover costs incurred by this agreement.)

Resolution No. 991216-36 was approved.

37. Authorize giving official notice to Travis County Emergency Service Districts Number 4, and 11 of full purpose annexations by the City of Austin in 1999.

Resolution No. 991216-37 was approved.

38. Approve a resolution authorizing execution of a 12-month supply agreement with MUNICIPAL PIPE AND FABRICATION CO., Pflugerville, Texas, for the purchase of water meter lids and boxes of various sizes in an amount not to exceed \$44,673.40, with two 12-month extension options in an amount not to exceed \$44,673.40 per extension for a total contract amount not to exceed \$134,020.20. (Funding in an amount of \$37,227.84 was included in the 1999-2000 Approved Operating Budget for the Water and Wastewater Utility. Funding for the remaining two months of the original contract period and two extension options is contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991216-38 was approved.

39. Approve a resolution authorizing execution of a 12-month supply agreement with NORIT AMERICAS INC. Atlanta, Georgia, for the purchase of approximately 260 tons of powdered activated carbon for the Water and Wastewater Utility in an amount not to exceed \$207,480, with two 12-month extension options in an amount not to exceed \$207,480 per extension option for a total contract amount not to exceed \$622,440. (Funding in an amount of \$172,900 was included in the Approved Fiscal Year 1999-2000 Operating Budget of the Water and Wastewater Utility. Funding for the remaining two months and the extension options is contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991216-39 was approved.

40. Approve a resolution authorizing execution of a 12-month supply agreement with ADVANCED ADVERTISING SPECIALTIES, Austin, Texas, to provide decaled T-shirts, in an amount not to exceed \$81,626.50, with two 12-month extension options in the amount not to exceed \$81,626.50, per extension, for a total contract amount not to exceed \$244,879.50. (Funding in an amount of \$61,220 was included in the 1999-2000 Approved Operating Budget of the Austin Fire Department and various other departments. Funding

For the remaining three months of the original contract, period and extension options will be contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation.

Resolution No. 991216-40 was approved.

41. Approve a resolution authorizing execution of an interlocal agreement with the CITY OF NEW BRAUNFELS, TEXAS, to provide preventative maintenance and repair services for the City of New Braunfels' fleet of Kawasaki manufactured police motorcycles generating an estimated annual revenue in the amount of \$5,000. (Estimated revenue of \$5,000 was unanticipated for the Fleet Maintenance Fund for 1999-2000.)

Resolution No. 991216-41 was approved.

42. Approve a resolution authorizing execution of a 12-month service agreement with DIGICON

TECHNOLOGIES INCORPORATED, Austin, Texas, to provide hardware maintenance for various CISCO Telecommunications routers and equipment in an amount not to exceed \$80,760.12, with four 12-month extension options in the not to exceed amounts of \$88,836, \$97,720, \$107,492 and \$118,241 respectively for a total contract amount not to exceed \$493,049.12. (Funding in an amount of \$80,760.12 is available in the 1999-2000 Approved Operating Budget for the Support Services Fund, for the Information Systems Office of the Financial and Administrative Services Department in the GAATN activity. Funding for the four 12-month extension options is contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation.

Resolution No. 991216-42 was approved.

43. Approve a resolution authorizing execution of a contract with INTERNATIONAL BUSINESS MACHINES (IBM), Austin, Texas, for the purchase of the IBM Model 9672-RC4 mainframe computer for a total contract amount of \$186,000. (Funding is available in the 1999-2000 Operating Budget for the Information Systems Office, Financial Administrative Services Department, in the Systems and Operating Activity.) Sole Source. No subcontracting opportunities were identified.

Resolution No. 991216-43 was approved.

Items 44 through 46 were pulled for discussion.

47. Approve a resolution authorizing execution of a twenty-five year contract with the LOWER COLORADO RIVER AUTHORITY, Austin, Texas, for the right to purchase up to 3500 acre feet of stored water to be used as cooling water at the Fayette Power Project, a coal-fired electric generation plant, at an estimated cost of \$367,500 per year, and approve the interim extension, if necessary, of the existing water supply contract pending completion of negotiations and execution of the new contract. (Funding is available in the FY 1999-2000 Fayette Power Plant O&M Budget of the Electric Utility Department.) (Recommended by Electric Utility Commission)

Resolution No. 991216-47 was approved.

48. Approve a resolution authorizing the issuance of a Letter of Intent and a rebate in the amount of \$77,700 to WESTWOOD RESIDENTIAL COMPANY for the installation of high-efficient air conditioners at the San Paloma Apartments Complex. Energy improvements qualifying for this rebate will save an estimated 326 kW a program cost of \$238 per kW saved. The comparable cost of a gas turbine is \$1,329 per kW, including fuel, operation, and maintenance. Each high efficient air conditioning will save the residents between \$70 and \$135 per cooling season in energy costs. (Funding in an amount of \$77,700 is included in the 1999-2000 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy.) (Recommended by Resource Management Commission and Electric Utility Commission)

Resolution No. 991216-48 was approved.

49. Approve a resolution authorizing execution of a 12-month supply agreement with ASHLAND SPECIALTY CHEMICAL COMPANY, San Antonio, Texas, for the purchase of Methyl Ethyl Ketoxime in an amount not to exceed \$150,480 with one 12-month extension option in an amount not to exceed \$150,480 for a total contract amount not to exceed \$300,960.

(Funding in an amount of \$125,400 is included in the Approved 1999-2000 Operating Budget for the Electric Utility Department. Funding for the remaining two months of this contract period and extension option is contingent upon available funding in future budgets.) Sole Source. No subcontracting opportunities were identified. (Recommended by Electric Utility Commission)

Resolution No. 991216-49 was approved.

50. Approve a resolution authorizing execution of a 12-month service agreement with ENVIRONMENTAL EVOLUTIONS, INC., San Antonio, Texas, for hazardous and non-hazardous spill response and remediation services in an amount not to exceed \$161,908 with four 12-month extension options in an amount not to exceed \$161,908 per extension, for total contract amount not to exceed \$809,540. (Funding in an amount of \$134,923 is available in the Approved 1999-2000 Operating Budget for the Electric Utility Department. Funding for the remaining two months of the original agreements and extension options is contingent upon available funding in future budgets.) Low bid of five. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991216-50 was approved.

51. Approve a resolution authorizing execution of a contract with MECHANICAL DYNAMICS AND ANALYSIS, INC., Schenectady, New York, to repair the existing stator bar and to fabricate a new stator bar for the Holly Street Power Plant Unit, #4 in the amount of \$296,025. (Funding in an amount of \$296,025 was included in the 1999-2000 Approved Operating Budget for the Electric Utility Department.) Low bid of two. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991216-51 was approved.

52. Approve a resolution authorizing execution of a 12-month Interlocal Agreement with TRAVIS COUNTY for weatherization services for the economically disadvantaged in an amount not to exceed \$360,000, with the option to extend for one 12-month period, in an amount not to exceed \$360,000 for a total amount not to exceed \$720,000. (Funding in an amount of \$270,000 is included in the Approved 1999-2000 Conservation Rebates and Incentives Fund. Funding for the balance of the contract and the extension option is contingent on future budgets. (Recommended by Electric Utility Commission)

Resolution No. 991216-52 was approved.

53. Approve a resolution authorizing the execution of a construction contract with HARKINS COMPANY, Elgin, Texas, for the construction of improvements to the Heating, Ventilating, and Air Conditioning (HVAC) system and building envelope in the Lamar Senior Activity Center, in the amount of \$174,736. This includes the Base Bid of \$167,236 and the Alternate #1 in the amount of \$7,500. (Funding in an amount of \$174,736 is included in the 1999-2000 Capital Budget of the Parks and Recreation Department.) Sole Bid. No MBE/WBE subcontracting participation.

Resolution No. 991216-53 was approved.

54. Approve a resolution authorizing negotiation and execution of a contract to purchase approximately 19.65 acres in fee simple acquisition located along Loyola Lane and adjacent to existing parkland known as Colony Park, from the AUSTIN INDEPENDENT SCHOOL

DISTRICT for parks and recreational purposes, in an amount not to exceed \$150,000. (Funding in an amount of \$113,095.01 was included in the 1990-1991 Amended Capital Budget of the Parks and Recreation Department; and \$42,704.99 was included in the 1991-1992 Amended Capital Budget of the Parks and Recreation Department.)

Resolution No. 991216-54 was approved.

55. Approve a resolution authorizing negotiation and execution of a contract with the TRUST FOR PUBLIC LAND to purchase approximately 41.738 acres in fee simple located on FM 969 (Martin Luther King Jr. Boulevard) adjacent to Johnny Morris Road, for Destination Parks, being a part of the Greenways and Destination Parks project as authorized by the November 1998 Bond Proposition 2, in an amount not to exceed \$225,000. (Funding was included in the 1999-2000 Capital Budget of the Parks and Recreation Department.)

Resolution No. 991216-55 was approved.

56. Approve a resolution authorizing ratification of a contract with COLUMBIA ULTIMATE BUSINESS SYSTEMS, INC., Vancouver, Washington, for the purchase, installation and maintenance of a payment claims processing software system, for Telecommunications and Regulatory Affairs for a total contract amount of \$62,353.44. (Funding was included in the 1999-2000 Approved Capital Budget of Telecommunications.) Sole Bid. No MBE/WBE subcontracting participation.

Resolution No. 991216-56 was approved.

57. Approve a resolution authorizing fee simple acquisition of Lot 8, Block D, Onion Creek Forest, Section 2, locally known as 6900 Thatch Lane, Austin, Texas, from RAY JOSEPH

LORETT for the Onion Creek Flood Control Project, in the amount of \$64,100. (Funding is included in the 1998-1999 Amended Capital Budget of the Watershed Protection Department.)

Resolution No. 991216-57 was approved.

58. Approve a resolution authorizing execution of a five-year lease with an option to renew for an additional five years with the SOUTHLAND CORPORATION, for use of .48 acres of City-owned land and improvements located at 5700 N. Lamar Boulevard for the purpose of operating a convenience store. (The amount of \$45,000 in annual revenue will be receipted into the Public Works Capital Projects Management Fund.)

Resolution No. 991216-58 was approved.

59. Approve a resolution authorizing negotiation and execution of a professional services agreement with TBG PARTNERS, Austin Texas, for design and construction phase services for development of the Town Lake Park; with the amount for Phase I design and construction services not to exceed \$360,000. (Funding is included in the 1998-1999 Capital Budget of the Austin Convention Department.) Best of four qualification statements. 8.7% MBE, 18.2% WBE subcontracting participation. (Park and Recreation Board Review – 12/14/99)

Resolution No. 991216-59 was approved.

60. Approve amendment of Interlocal Cooperation Agreement between the City of Austin, Travis County and the Austin Travis County Mental Health Mental Retardation Center for Substance Abuse Treatment Services to add a maximum amount of \$30,000 for the purchase of additional substance abuse treatment and other related behavioral healthcare services for adults referred by Community Court for the period October 1, 1999 through December 31, 1999. (Funding was included in the 1999-2000 Municipal Court Operating Budget for the purchase of substance abuse treatment and related behavioral healthcare services for individuals referred by Community Court. Up to \$30,000 is being added for the last calendar quarter of 1999.)

Resolution No. 991216-60 was approved.

61. Approve a resolution authorizing an Interlocal Cooperation Agreement with Travis County to fund and administer social services contracts for the period of January 1, 2000, through December 31, 2000, at a cost to the City not to exceed \$2,803,620 with two 12-month extension options at a cost of \$1,723,689 per extension, for a total amount not to exceed \$6,250,998. (Funding in an amount of \$2,664,604 was included in the Fiscal Year 1999-2000 Operating Budget for the Health and Human Services Department, Social Services Fund. Funding for the remaining month of the contract period and extension options will be contingent on availability of funding in future budgets.) (Community Action Network (CAN) Resource Council review – 12/10/99)

Resolution No. 991216-61 was approved.

62. C14-99-2028 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1625 West Parmer Lane from DR, Development Reserve District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. First reading on December 2, 1999; Vote 5-2, Goodman nay, Lewis absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Our Savior Lutheran Church (Kieth Gravesmill); Agent: Consort, Inc. (Steve King). City Staff: Katie Larsen, 499-3072.

Ordinance No. 991216-62 was approved.

Item 63 was pulled for discussion.

64. C14-98-0042 – Approve an extension of the expiration date of a zoning application for the property locally known as 1910 W. Koenig Lane in accordance with the provisions of Section 25-2-246 (C)(2) of the Austin City Code. First reading on June 4, 1998; Vote 6-0 (Mayor Watson absent). Applicant: Billie J. and Charles T. Holcomb. City Staff: Antonio Gonzalez, 499-2243.

Resolution No. 991216-64 was approved.

65. C14-98-0161 – Champion Property (Tract 1A) – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 6507 Winterberry Drive from DR, Development Reserve District to SF-2-CO, Single-Family Residence (Standard Lot)-Conditional Overlay Combining District zoning with conditions.

First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339.

This item has been postponed to January 13, 2000.

66. C14-98-0162 – Champion Property (Tract 3) – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 6011-6411 City Park Road, 5801-6507 FM 2222 from SF-2, Single-Family Residence (Standard Lot) District to LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 3. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan) and Lockwood Engineers, Inc. (Fred Lockwood). City Staff: Ellen Meadows, 499-2339.

This item has been postponed to January 13, 2000.

67. C14-98-0163 – Champion Property (Tract 5) – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 5614-5620 FM 2222; 6300-6406 Lakewood Drive; 6700-6708 Lakewood Drive; 6401-6711 Capital of Texas Highway North from SF-2 Single-Family Residence (Standard Lot) District to GR-CO, Community Commercial Conditional Overlay Combining District zoning with conditions for Tract 5. First reading on December 2, 1999; Vote 6-0, Lewis

absent. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan) and Lockwood Engineers, Inc. (Fred Lockwood). City Staff: Ellen Meadows, 499-2339. Note: A valid petition has been filed in opposition to this rezoning request.

This item was approved on second reading with an amendment by Council Member Slusher to limit the car trips to 782 and to allow an option of a hike and bike trail on Tract 5.

68. C14-99-0076 – Champion Property (Tracts 1B, 1C, 1D)– Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 5800-6802 FM 2222 and 6100-6712 Capital of Texas Highway North from DR, Development Reserve District and SF-2, Single-Family Residence (Standard Lot) District to MF-1-CO, Multifamily Residence (Low Density)-Conditional Overlay Combining District zoning with conditions for Tract 1B; from SF-2, Single-Family Residence (Standard Lot) District to LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1C; from DR, Development Reserve District and SF-2, Single-Family Residence (Standard Lot) District to LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 1D. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339.

This item has been postponed to January 13, 2000.

69. C14-99-0077 – Champion Property (Tract 2)– Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 6100-6404

City Park Road and 6509-6909 FM 2222 from DR, Development Reserve District to LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning with conditions for Tract 2. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339. Note: A valid petition has been filed in opposition to this rezoning request.

This item has been postponed to January 13, 2000.

70. Approve a resolution authorizing execution of a twelve-month supply agreement with NORSEMAN PLASTIC LIMITED, Rexdeal, Ontario, Canada, for the purchase of curbside recycling bins in an amount not to exceed \$46,520 with two twelve-month extension options in an amount not to exceed \$46,520 per extension for a total contract amount not to exceed \$139,560. (Funding in an amount of \$34,890 is available in the 1999-2000 Approved Operating Budget of the Solid Waste Services Department. Funding for the remaining three months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of four meeting specifications. No MBE/WBE subcontracting participation.

Resolution No. 991216-70 was approved.

Item 71 was pulled for discussion.

72. Approve an ordinance-amending Chapter 17-2-31 of the City Code relating to commercial parking at the Airport and Ordinance No. 990914-4 regarding Fines, Fees and Other Charges. (No material fiscal impact. A budget amendment is not required.)

Ordinance No. 991216-72 was approved.

73. Approve a resolution amending the Airport Noise Compatibility Program by providing relocation assistance to persons covered by the voluntary purchase program. (Funding dependent on future CIP budget to be approved by City Council.)

Resolution No. 991216-73 was approved.

Item 74 was pulled for discussion.

75. Approve a resolution authorizing the negotiation and execution of a 12-month contract with Austin Asian-American Chamber of Commerce, in an amount not to exceed \$50,000 of Community Development Block Grant (CDBG) funds under the Small Minority Business Assistance (SMBA) program to implement an SMBA program designed to provide training and technical assistance to small businesses. (Funding in an amount of \$50,000 was included in the Fiscal Year 1996-1997 operating budget of the Neighborhood Housing and Community Development Office.)

Resolution No. 991216-75 was approved.

76. Approve a resolution authorizing the negotiation and execution of a 12-month contract with Capital City African-American Chamber of Commerce (CCCC), in an amount not to exceed \$50,000 of Community Development Block Grant (CDBG) funds under the Small Minority Business Assistance (SMBA) program to implement an SMBA program designed to provide training and technical assistance to small businesses. (Funding in an amount of \$50,000 was

included in the Fiscal Year 1996-1997 Operating budget of the Neighborhood Housing and Community Development Office.)

Resolution No. 991216-76 was approved.

Item 77 through 79 were pulled for discussion.

80. Approve a resolution authorizing the release of approximately 12 acres of City of Austin Extraterritorial jurisdiction (ETJ) to the City of Manor. The area is located north of Hill Lane approximately one-half mile west of the intersection of Hill Lane and Greg Manor Road.

Resolution No. 991216-80 was approved.

81. Approve an ordinance consenting to the annexation of approximately 198 acres into Water Control Improvement District (WCID) No. 17, located at the Eastern Shore of Lake Austin at the end of Quinlan Park Road.

Ordinance No. 991216-81 was approved.

82. Set a public hearing to amend the Austin Metropolitan Area Transportation Plan by designating the 4th Street right-of-way west of IH 35 to Rio Grande Street, and the West 3rd Street right-of-way from Shoal Creek to North Lamar Boulevard, as the future passenger rail corridor connecting the Union Pacific Railroad-owned rail right-of-way to the Giddings-to-Llano rail right-of-way owned by the Capital Metropolitan Transportation Authority (Capital Metro). Suggested Date and Time: January 27, 2000 at 6:00 P.M.)

Resolution No. 991216-82 was approved.

83. Approve a resolution authorizing execution of an amendment to the legal services contract with Colette Holt & Associates, 300 Benton Boulevard, Kansas City, Missouri to provide legal counsel to the City regarding the City's Minority-Owned and Women-Owned Business Enterprise Program, in an amount of \$70,000, for a total contract amount not to exceed \$105,000. (Funding was included in the 1999-2000 Operating Budget for Small Minority Business Resources.)

Resolution No. 991216-83 was approved.

84. Approve a resolution authorizing execution of an amendment to the legal services contract with Mayor, Day, Caldwell and Keeton, 610 Congress Avenue, Austin, Texas to provide legal counsel to the City regarding the City's Minority-Owned and Women-Owned Business Enterprise Program, in an amount of \$90,000, for a total contract amount not to exceed \$129,000. (Funding was included in the 1999-2000 operating budget for Small Minority Business Resources.)

Resolution No. 991216-84 was approved.

85. Approve a resolution authorizing execution of an amendment to the legal services contract with Fulbright and Jaworski, L.L.P, for representation in the purchase of the waste water system assets of Technology Hydraulics, Inc., in an amount of \$2,500.00, for a total contract amount not to exceed \$41,500.00. (Funding in the amount of \$41, 500 was included in 1999-2000 Water and Wastewater Utility Operating Budget.)

Resolution No. 991216-85 was approved.

86. Approve a resolution authorizing execution of an amendment to the legal services contract with Clark, West, Keller, Butler, and Ellis, for representation in *Arthur Brown, et al. v. City of Austin Police Department*, in an amount of \$68,000.00, for a total contract amount not to exceed \$255,000.00. (Funding in the amount of \$68,000 was included in Liability Reserve Fund.)

Resolution No. 991216-86 was approved.

87. Approve execution of an amendment to the professional services contract with the Law Office of Diane Henson to increase the amount of attorney fees by up to \$85,000, for a total contract amount not to exceed \$285,000, for legal services in *Jonnie Peck v. Juanita Bishop Huertas, M.D., et al.*, Cause No. 96-11840, in the Travis County District Court. (Funding in the amount of \$85,000 was included in the 1999-2000 the Liability Reserve Fund.)

Resolution No. 991216-87 was approved.

88. Approve a resolution directing the City Manager to develop a workplan for the city's participation in the Computer and Electronics Disposition Eco-Industrial Park. (Council Member Daryl Slusher, Mayor Pro-Tem Jackie Goodman, and Council Member Gus Garcia)

Resolution No. 991216-88 was approved with the following language.

Whereas CEDEIP, Inc. is not-for-profit corporation chartered by the State of Texas to research and develop new methods for disposition of electronic equipment, and

Whereas the Austin City Council has stated its support for CEDEIP and pledged to provide assistance as needed, therefore

Be it resolved that the Austin City Council directs the City Manager to prepare a work plan including:

Assignment of a staff team to the project under the leadership of an Assistant City Manager with a report back to Council within 30 days regarding the staff team's membership

Consideration of any necessary fiscal commitments as identified by the stakeholder group in the Fiscal year 2000-2001 City of Austin budget

Exploration of funding options from the federal government and any other potential sources

Provision of monthly status reports regarding the City's participation in the project

89. Approve a resolution to support the Galindo Elementary Neighborhood Association in their efforts to relocate the United States I.N.S. Detention Center. (Council Member William Spelman, Council Member Gus Garcia, and Council Member Willie Lewis)

Resolution No. 991216-89 was approved with a friendly amendment by Council Member Spelman to change the words "Detention Center" and replace with "Sub-office and Temporary Lockup Facility."

Item 90 was pulled for discussion.

91. Approve allocations or increases of allocations of cultural contract funds for the following organizations: Austin Visual Arts Association, Center for Women and Their Work (Kip Garth), Austin Circle of Theaters (Nicole Eutsey) and Our Story. (Council Member Willie Lewis and Council Member Beverly Griffith)

Resolution No. 991216-91-A was approved.

Ordinance No. 991216-91-B was approved.

DISCUSSION ITEMS

90. Approve an ordinance to permit subordination of city fines on historically zoned properties to facilitate their acquisition and renovation and conformity with City Code requirements. (Mayor Pro-Tem Jackie Goodman, Council Member Gus Garcia, and Council Member Willie Lewis)

This item was postponed to February 3, 2000 on Council Member Spelman's motion, Mayor pro Tem Goodman's second by a 6-0 vote. Mayor Watson recused himself from this item.

29. Approve a resolution authorizing execution of a contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE/MH), Austin, Texas, for the Austin Comprehensive Urban Trail Town Lake Improvement Project in the amount of \$717,646. (Funding in an amount of \$364,646 was included in the 1997-1998 Amended Capital Budget of the Parks and Recreation Department and \$353,000 was included in the 1998-1999 Approved Capital Budget of the Electric Utility.) Low bid of six. MUNIZ CONCRETE AND CONTRACTING, INC. (MBE/MH) MBE Prime; 15% WBE subcontracting participation.

Resolution No. 991216-29 was approved on Council Member Slusher's motion, Council Member Garcia's second by a 7-0 vote.

27. Consider City Council meeting schedule for the Year 2000.

This item was postponed to January 6, 2000 on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.

31. Approve a Request by the Taxicab Franchise Holders to Change the Taximeter Rate of Fare and repeal Ordinance No. 950202-B.

Ordinance No. 991216-31 was approved on Council Member Spelman's motion, Council Member Slusher's second by a 7-0 vote.

34. Amend Ordinance 990914-1, the 1999-2000 Operating Budget of the Emergency Medical Services Department to increase General Fund revenues and expenditures by \$274,787 for service to Travis County, and increase FTEs by 5.0. (Funding of \$274,787 in additional General Fund revenue is anticipated from Travis County as direct reimbursement for STAR

Flight personnel costs, for a total General Fund revenue of \$1,980,537 for Fiscal Year 1999-2000 in accordance with proposed Interlocal Agreement. An additional amount up to \$3,252,781 will be received from Travis County for the EMS Travis County Reimbursed Fund for a total revenue up to \$5,233,418. This budget amendment does not amend the EMS Travis County Reimbursed Fund.) (Related to Item 35)

Ordinance No. 991216-34 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 7-0 vote.

44. Approve a resolution authorizing the selection of TRW, INC., PUBLIC SECTOR SOLUTIONS, Reston, Virginia, and the development of the scope and cost of services for design and construction administration services for the Regional Emergency Communications and Transportation Management Center. 8.6% MBE, 18.2 WBE subcontracting participation.
Resolution No. 991216-44 was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.
45. Amend the 1999-2000 General Fund Operating Budget of Ordinance No. 990914-1 to increase the Municipal Court budget expenditures by \$257,240 and decrease the contingency reserve by \$257,240. (Related to Item 46)
Ordinance No. 991216-45 for Phase I in an amount of \$98,990 and require staff to report back to Council was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.
46. Approve a resolution authorizing the negotiation and execution of a Two-Phase twenty-one month contract with the ANACAPA SCIENCES, INC., Santa Barbara, California, for the purchase of hardware and software design development for an electronic ticket writer program in an amount not to exceed \$98,990 for Phase I and \$158,250 for Phase II for a total contract amount of \$257,240. (Funding in an amount of \$257,240 is included in the 1999-2000, Municipal Court Amended Operating Budget. Funding for the extension option is contingent upon available funding in future budgets.) Best of three proposals. No MBE/WBE subcontracting participation. (Related to Item 45)
Resolution No. 991216-46 for Phase I in an amount of \$98,990 and require staff to report back to Council was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.
63. C14-99-2049 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5537 Loyola Lane from SF-3, Family Residence District zoning to LI, Limited Industrial District zoning with conditions. First reading on November 18, 1999; Vote 6-0, Lewis absent. Conditions met as follows: Council imposed No conditions at first reading. Applicant: God's Power in Christian Fellowship; Agent: Public Perceptions (Heyden Walker). City Staff: Katie Larsen, 499-3072.
Ordinance No. 991216-63 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.
71. Approve a resolution authorizing execution of a construction contract with F.T. WOODS CONSTRUCTION SERVICES, INC., Georgetown, Texas, for the Todd Lane Service Center, Phase II, located at 4108 Todd Lane, in an amount not to exceed \$4,400,000. (Funding is

included in the Fiscal Year 1999-2000 Capital Budget of Solid Waste Services.) Low bid of four. 12.96% MBE, 9.6% WBE subcontracting participation.

Resolution No. 991216-71 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 4-1 vote. Mayor Pro Tem Goodman was off the dais. Council Member Lewis voted no.

The Mayor recessed the City Council meeting at 3:39 p.m. on Council Member Garcia's motion, Mayor Watson's second by a 5-0. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

A Board meeting of the Austin Housing Finance Corporation (AHFC) was convened. Items 92 and 93 were the AHFC items considered by the Austin Housing Finance Corporation's Board of Directors.

92. Conduct a public hearing on the issuance of up to \$7,500,000 of 501 (c) 3 multi-family non-recourse bonds to finance the acquisition and rehabilitation of the Village Green Apartments at 7224 Northeast Drive, to be owned and operated by Village Green Mutual Housing Corporation, a single purpose Texas non-profit corporation affiliated with Central Texas Mutual Housing Corporation.

The public hearing was closed on Board Member Spelman's motion, Board Member Garcia's second by a 4-0 vote. Vice President Goodman, Board Members Griffith and Slusher were off the dais.

93. Approve a Reimbursement Resolution on the issuance of up to \$7,500,000 of 501(c) 3 multi-family non-recourse bonds to finance the acquisition and rehabilitation of the Village Green Apartments at 7224 Northeast Drive, to be owned and operated by Village Green Mutual Housing Corporation, single purpose Texas non-profit corporation affiliated with Central Texas Mutual Housing Corporation. (Paid from requestor and bond funds.)

Resolution No. 991216-93 was approved on Board Member Spelman's motion, President Watson's second by a 5-0 vote. Vice President Goodman and Board Member Slusher off the dais.

The AHFC Board Meeting was adjourned at 3:53 p.m. on Board Member Garcia's motion, President Watson's second by a 5-0 vote. Vice President Goodman and Board Member Slusher were off the dais.

Council was called back to order at 3:54 p.m.

DISCUSSION ITEMS CONTINUED

74. Approve a resolution authorizing execution of amendment #3 with the TEXAS CENTER FOR WOMEN'S BUSINESS ENTERPRISE (TxCWBE), Austin, Texas, a Texas non-profit corporation to extend the contract for one additional 12-month period to provide women and minority-owned business enterprises with a support network and technical assistance needed to succeed in competitive markets, in an amount not to exceed \$111,000 for a total contract

amount not to exceed \$341,000. (Funding in an amount of \$111,000 is available in the 1999-2000 Approved Budget of the Small and Minority Business Resources Department.)

Resolution No. 991216-74 was approved with direction to staff to have no additional extensions to this contract on Council Member Lewis' motion, Council Member Garcia's second by a 7-0 vote.

CONSENT ZONING ITEMS

All of the following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and the consent items were approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

ZONING ITEMS

Item 94 was pulled for discussion.

95. C14-99-0081 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6415 Hart Lane, 3413 North Hills Drive and 6426 MoPac SB Expressway North from LO, Limited Office District zoning to GO, General Office District zoning. Planning Commission Recommendation: To Grant GO-CO, General Office-Conditional Overlay Combining District zoning with conditions. Applicant: 6204 Balcones Ltd. (Gerald Kucera, Manager) and David B. Barrow, Jr. (Charles F. Stahl, Attorney-In-Fact). City Staff: Clark Patterson, 499-2464. Note: A valid petition of has been filed in opposition to this rezoning request.

This item was postponed to January 13, 2000 at the request of the neighborhood. This is the neighborhood's first request.

Item 96 was pulled for discussion.

97. C14-99-2009 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 East Riverside Drive from LO, Limited Office District and SF-3, Family Residence District zoning to SF-6, Townhouse and Condominium Residence District zoning. Planning Commission Recommendation: To Deny SF-6, Townhouse and Condominium Residence District zoning. Applicant: W. Ralph Canada, Jr. & Carol H. Canada; Agent: Jim Bennett. City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request.

This item was postponed to March 2, 2000 at the request of the applicant. This is the applicant's first request.

98. C14-99-2042 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7907-8021 Southwest Parkway from GR, Community Commercial District and LO, Limited Office District zoning to MF-4, Multifamily Residence (Moderate-High Density) District zoning. Planning Commission Recommendation: MF-2-CO, Multifamily Residence (Low-Density)-Conditional Overlay Combining District zoning with conditions. Applicant: Hilltop Joint Venture (Ned Welsh); Agent: Remax Austin Association (Joseph Ranzani). City Staff: Adam Smith, 499-2755.

The first reading of this ordinance was approved.

Item 99 was pulled for discussion.

100. C14-99-2061 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 755 Springdale Road from LI, Limited Industrial Service District zoning and SF-3, Family Residence District zoning to CS-MU, General Commercial Service-Mixed Use District zoning. Planning Commission Recommendation: To Grant CS-MU-CO, General Commercial Service-Mixed Use-Conditional Overlay Combining District zoning. Applicant; Texas Trees & Landscape; Agent: City of Austin, Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 991216-100 was approved.

101. C14-99-2062 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 7911 RM 620 North from I-RR, Interim-Rural Residence District zoning to LI, Limited Industrial Service District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: Matthew Lucas. City Staff: Katie Larsen, 499-3072.

This item was postponed to January 13, 2000 at the request of the applicant. This is the applicant's first request.

102. C14-99-2073 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8721 and 8723 Mountain Crest from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owners: Leal Fidell, Jr. and Billy N. & Marion Claire Mabry; Applicant: City of Austin, Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 991216-102 was approved.

103. C14-99-2075 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 10900 RM 2222 from I-RR, Interim-Rural Residence District zoning to GO, General Office District zoning. Planning Commission Recommendation: To Grant GO, General Office District zoning with conditions. Applicant: James A. & Minnie Jo Chipman; Agent: Lopez-Phelps & Vaughn (Amelia Lopez-Phelps). City Staff: Katie Larsen, 499-3072.

This item was postponed to January 27, 2000 at the request of the applicant. This is the applicant's first request.

104. C14-99-2076 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 8005 Rosson Drive and 7906 Hudson Loop from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence. Property Owners: Nathan & Rebecca Toth and The Thelma L. Collier Trust; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 991216-104 was approved.

105. C14-99-2077 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 8556 U.S. Highway 290 West from I-RR, Interim-Rural Residence

District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owner: Harold & Anne Godfrey; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 991216-105 was approved.

106. C14-99-2081 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located at William Cannon Drive West from I-RR, Interim Rural-Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Owner: Stratus Properties Operating Company; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 991216-106 was approved.

107. C14-99-2082 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6501 William Cannon Drive West from I-RR, Interim Rural-Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owner: Motorola, Inc; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 991216-107 was approved.

108. C14-99-2083 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located south of Boulder Lane and east of RM 620 North from GO-CO, General Office-Conditional Overlay Combining District zoning to MF-1-CO, Multifamily Residence (Limited Density)-Condition Overlay Combining District zoning. Planning Commission Recommendation: To Grant MF-1-CO, Multifamily Residence (Limited Density))-Condition Overlay Combining District zoning. Property Owner: Canyon Creek Option, Ltd. (Fred Eppright); Agent: Land Strategies, Inc. (Erica Millard). City Staff: Katie Larsen, 499-3072.

Ordinance No. 991216-108 was approved.

109. C14-99-2086 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 8504 U. S. Highway 290 West from I-RR, Interim Rural-Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owner: Gerald Dean Powell; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 991216-109 was approved.

DISCUSSION ZONING ITEMS

94. C14-99-0142 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5700 and 5716 Burnet Road from CS, General Commercial Services District zoning to CS-1, Commercial-Liquor Sales District zoning for Tract 1, and from CS-1, Commercial-Liquor Sales District zoning to CS, General Commercial Services District zoning for Tract 2. Planning Commission Recommendations: To Grant CS-1, Commercial-Liquor Sales District zoning with conditions for Tract 1 and CS, General

Commercial Services District zoning with conditions for Tract 2. Applicant: Twin Liquors (David Jabour); Agent: Austin Permit Service, Inc. (Melissa Whaley). City Staff: Katie Larsen, 499-3072.

The first reading of this ordinance was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

96. C14H-99-2003 – Castleman-Bull House – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 308 East 7th Street from CBD, Central Business District zoning to CBD-H, Central Business District-Historic district zoning. Planning Commission Recommendation: To Grant CBD-H, Central Business District-Historic district zoning. Applicant: City of Austin; Agent: Development Review and Inspection Department. Property Owner: St. David's Episcopal Church. City Staff: Barbara Stocklin, 499-2414. (Continued from 11/18/99) Note: A valid petition of has been filed in opposition to this rezoning request.

The public hearing was closed on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

A motion to deny the historic zoning was approved on Council Member Garcia's motion, Council Member Slusher's second on a 7-0 vote.

A motion to recess the Council meeting at 5:44 p.m. was approved on Council Member Spelman's motion, Council Slusher's second by a 7-0 vote.

A motion to call to order the Special Called Meeting was approved on Council Member Spelman's motion, Council Member Slusher's second by a 7-0 vote.

The City Council of Austin, Texas convened the Special Called Meeting on Thursday, December 16, 1999, in the Council Chambers at 307 West Second Street, Austin, Texas, for the following purpose:

Mayor Watson called the Special Called meeting to order at 5:45 p.m.

1. Consider an ordinance to adopt interim development controls for property within the City's Neighborhood Conservation Combining Districts (NCCD), pending consideration of amendments to the NCCD(s). (Mayor Pro Tem Jackie Goodman and Council Member Beverly Griffith)

This item was withdrawn. An agreement was announced between Save Hyde Park Alliance and Hyde Park Baptist Church to meet in negotiation through January 28, 2000 with the following conditions:

- (1) Hyde Park Baptist Church (HPBC) will not file a permit application for garage expansion
- (2) HPBC will agree to meet after January 1, 2000 with HPNA Team, Larry Gil, continue a "formal" small group discussion with Alliance to Save Hyde Park
- (3) HPBC can continue with process on "Drainage"
- (4) HPBC can continue on their alley vacation process
- (5) HPBC can continue on the quarries

**The motion to adjourn the Special Called Meeting at 5:52 p.m. was approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 7-0 vote.
The Regular Council Meeting was called back to order at 5:53 p.m.**

DISCUSSION ZONING ITEMS CONTINUED

99. C14-99-2060 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 500 East Powell Lane from MF-2-CO, Multifamily Residence (Low Density) -Conditional Overlay Combining District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. Applicant: Bobby N. Sides; Agent: Federica A. Vierna. City Staff: Katie Larsen, 499-3072.
The first reading of this ordinance was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais. At the time of the second and third readings, the only issue to be discussed is the number of vehicle trips.

A motion to recess the Council meeting at 5:58 p.m. and go into Executive Session was approved on Council Member Garcia's motion, Council Member Slusher's second by a 4-0 vote. Mayor Pro Tem Goodman, Council Members Lewis and Spelman were off the dais.

PUBLIC HEARINGS

111. Conduct a public hearing on the use of a portion of the dedicated Balcones Canyonland Preserve known as the Hanks Tract for drainage purposes, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code.
The public hearing was closed on Council Member Spelman's motion, Council Member Slusher's second by a 6-0 vote. Council Member Griffith was off the dais.
114. Approve the use of a portion of the dedicated Balcones Canyonland Preserve known as the Hanks Tract for drainage purposes, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code.
Resolution No. 991216-114 was approved on Council Member Spelman's motion, Council Member Slusher's second by a 6-0 vote. Council Member Griffith was off the dais.
110. Conduct a public hearing on an ordinance adding Chapter 8-17 to the Austin City Code relating to the regulation of valet parking services, and amending Ordinance 990914-4 by adding fees for valet parking permits, valet operating permits, and temporary parking permits. (Annual revenue of \$17,400 is estimated as a result of this ordinance.)
The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 7-0 vote.
113. Approve an ordinance adding Chapter 8-17 to the Austin City Code relating to the regulation of valet parking services, and amending Ordinance 990914-4 by adding fees for valet parking permits, valet operating permits, and temporary parking permits. (Annual revenue of \$17,400 is estimated as a result of this ordinance.)
Ordinance No. 991216-113 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.

112. Conduct a public hearing and consider an appeal of the Sign Review Board's decision to deny a variance request to increase the maximum height of a freestanding sign requirement of Section 25-10-123(3)(a) from 35 feet to 55 feet in height in a "GR", Community Commercial zoning district. File Number C16-99-014. City Staff: Susan Walker, 499-2202.

This item was postponed to January 6, 2000 on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

115. Consider a resolution regarding an appeal of the Sign Review Board's decision to deny a variance request to increase the maximum height of a freestanding sign requirement of Section 25-10-123(3)(a) from 35 feet to 55 feet in height in a "GR", Community Commercial zoning district. File Number C16-99-014. City Staff: Susan Walker, 499-2202.

This item was postponed to January 6, 2000 on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

DISCUSSION ITEMS CONTINUED

12. Authorize negotiation and execution of a contract to purchase a conservation easement on approximately 292.43 acres located along Bliss Spillar Road, for the May Bond 1998 Proposition 2 known as Barton Springs Clean Drinking Water. (Funding was included in the 1997-98 Amended Water & Wastewater Utility Capital Budget.)

Resolution No. 991216-12 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.

77. Approve an Ordinance authorizing the execution of the final loan documents under the U.S. Department of Housing and Urban Development (HUD) for Section 108 Loan Guarantee assistance in an amount not to exceed \$9,035,000 for the implementation of the East 11th and 12th Urban Renewal Plan. (Debt service in the amount of \$283,792 was included in the Fiscal Year 1999-2000 Operating Budget of the U.S. Department of Housing and Urban Development's (HUD) Section 108 Debt Service Fund Assistance Program.)

Ordinance No. 991216-77 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

78. Authorize acceptance of \$9,035,000 in loan proceeds under the Section 108 Loan Guaranteed Assistance Program from the U. S. Department of Housing and Urban Development and amend Ordinance No. 990914-1, the 1999-2000 Operating Budget, for the Neighborhood Housing and Community Development Office by appropriating \$9,035,000 in Section 108 Loan Guarantee Assistance Funds. (\$9,035,000 in loan funds guaranteed by the U.S. Department of Housing and Urban Development's Section 108 Loan Guarantee Assistance Program. The first year's debt service in the amount \$541,790 is included in the 1999-2000 Operating Budget of the HUD section 108 debt service fund.)

Ordinance No. 991216-78 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

79. Approve a Resolution authorizing the execution and delivery of the Acquisition, Development and Loan Agreement between the Urban Renewal Agency of the City of Austin, the Austin Revitalization Authority and the City of Austin, in an amount not to exceed \$9,035,000 less

issuance cost for the implementation of the East 11th and 12th Streets Urban Renewal Plan, as well as approving the Redevelopment Area Loan Program Guidelines for making loans not to exceed \$750,000 with Section 108 loan proceeds and the transfer of tracts of land on East 11th and 12th Streets to the Urban Renewal Agency without additional consideration. (\$9,035,000 in loan funds guaranteed by the U.S. Department of Housing and Urban Development's Section 108 Loan Guarantee Assistance Program. These funds are included in the amended FY 1999-2000 Operating Budget for the Neighborhood Housing and Community Development Office.)

Resolution No. 991216-79 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

The motion to recess the Council meeting at 7:16 p.m. and go into Executive Session was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

6. Discuss *Circle C Land Corp. v. City of Austin*, Cause No. 97-13994, 53rd Judicial District of Travis County.
8. Discuss *City of Austin v. L.S. Ranch Ltd, et al.*, Cause No. 089800542-CV, in the Third Court of Appeals, Austin, Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
9. Discuss legal issues related to Chapter 245 of the Local Government Code.

ACTION ON THE FOLLOWING:

13. Consider partial settlement of *Circle C Land Corp. v. City of Austin*, Cause No. 97-13994, 53rd Judicial District of Travis County.

No action was taken on this item.

ADJOURNED at 8:01 p.m. on Council Member Garcia's motion, Council Member Slusher's second, by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.

The minutes for the Regular Meetings of December 16, 1999 were approved on this the 6th day of January, 2000 on Council Member Lewis' motion, Council Member Garcia's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Members Slusher and Spelman were off the dais.